

## **REMARKS**

In view of the amendments proposed above, Applicant respectfully requests consideration of the following remarks.

### **Anticipation Rejections Under 35 U.S.C. § 102**

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

### **Anticipation Rejection Based on United States Patent 5,687,592 to Penniman et al.**

Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent 5,687,592 to Penniman et al. (hereinafter “Penniman”). Applicant respectfully traverses this rejection as set forth below.

Penniman discloses a portable computer 12 having a hinged door 24 providing access to a hard disk drive compartment in the computer's chassis 14. Column 3, Lines 20-22; FIG. 1. The door 24 is maintained in a closed position by a sliding bar 26, this sliding bar including a depressed tongue 28. Column 3, Lines 22-24. When this tongue 28 is in an extended position (shown in FIG. 1), it engages the inside surface of the chassis 14, thereby preventing opening of the door 24. Column 3, Lines 24-27. To open the door 24, the sliding bar 26 is moved to the right (in FIG. 1), which releases the tongue 28 from the chassis 14, allowing the door 24 to open. Column 3, Lines 27-32. The

tongue 28 of sliding bar 26 includes an aperture 32 (see FIGS. 1 and 2), and this aperture is adapted to receive the end 38 on a locking member 36 of a lock 10. Column 3, Lines 33-44. When the lock 10 is installed on portable computer 12, with the lock member end 38 secured within the aperture 32 on tongue 28, the tongue 28 cannot be disengaged from the chassis 14 and, accordingly, the door 24 cannot be opened. Column 3, Lines 53-67.

In rejecting claims 1 and 2 based upon Penniman, the Examiner makes particular reference to an embodiment shown in FIG. 5. In this embodiment, the tongue 228 of the sliding bar 226 does not include an aperture for receiving the lock end 38. Column 4, Lines 52-54. Rather, the lock end 38 of lock 10 is inserted into and secured within an aperture in the chassis 14 of computer 12, and a flange 42 on the lock 10 blocks opening of the door 24. Column 4, Lines 43-57; FIG. 5.

Claim 1 recites:

1. An apparatus comprising:
  - a housing having an access door permitting access to an interior of the housing, the access door movable between a closed position and an open position;
  - a slot extending through the housing, the slot sized and located to receive a lock head of a locking device when the lock head exhibits a first orientation and to retain the lock head when the lock head exhibits a second orientation; and
  - a latch assembly disposed in the housing to maintain the access door in the closed position **when the lock head exhibits the second orientation**.

The Examiner suggests that the sliding bar 226 anticipates the claimed latch assembly. Office Action, at page 2-3. However, the sliding bar 226 has no interaction with the lock end 38 of the lock 10 and, accordingly, the sliding bar 226 is not a “latch

assembly . . . to maintain the access door in the closed position when the lock head exhibits the second orientation.”

As Penniman fails to disclose at least the above noted limitations, claim 1 is novel in view of this reference. Also, claim 2 is allowable as depending from novel independent claim 1.

Anticipation Rejection Based on United States Patent 6,275,378 to Lee et al.

Claims 1, 2, 4-6, and 8-10 were rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent 6,275,378 to Lee et al. (hereinafter “Lee”). Applicant respectfully traverses this rejection as set forth below.

Lee discloses a docking station 10 for receiving a notebook-type computer. Column 2, Lines 4-5. The dock 10 includes a “**pushing device**” 20 having an activating section 200 (a “**push button**”) and a linkage 201. Column 2, Lines 6-17; FIG. 3. Link 201 is coupled with a pushing section 202 and an engaging section 204 (Column 2, Lines 14-17) that are used to connect/disconnect the computer 12 to/from the dock 10 through actuation of the activating section 200 (see discussion at Column 2, Line 59 through Column 2, Line 14). The dock 10 also includes a fixing hole 11. Column 2, Line 11; FIG. 1.

The dock 10 also includes a dock safety lock 22. Column 2, Line 18; FIG. 3. The safety lock 22 includes a shifting section 220, a first detent plate 224, and a lock slot 226, wherein the first detent plate 224 and lock slot 226 are both connected with the shifting section 220. Column 2, Lines 18-28. The first detent plate 224 can be received in a receptacle 206 of the activating section 200, such that the first detent plate 224 engages

the activating section 200. Column 2, Lines 28-40. When the first detent plate 224 is engaged with the activating section 200, the lock slot 226 is aligned with the fixing hole 11, and the stopper section 42 of a lock device 40 can be inserted through the fixing hole 11 and lock slot 226 to lock the position of the activating section 200. Column 2, Lines 32-51; FIG. 4.

In one embodiment, disclosed in FIGS. 9 through 11, an I/O module 30 is received in the housing 100 of dock 10, and this I/O module 30 includes a lock slot 32 that is aligned with the lock slot 226 and fixing hole 11. Column 3, Lines 14-25. The lock device 40 is inserted through the lock slot 32 on I/O module 30 – along with being inserted through the fixing hole 11 and lock slot 226 – to lock the I/O module 30 in place on dock 10. Column 3, Lines 39-42; FIG. 10. Note, however, that in this embodiment, the I/O module 30 is locked in place directly by the lock 40 via lock slot 32 and fixing hole 11; it is not locked in place by the detent plate 224, as is the activating section 200.

In regards to the disclosure of Lee, the Examiner states that:

Lee et al teaches a housing 100, an **access door 20** having a receptacle 206 to receive a retaining element end of a latch 224, which latch allows or prevents movement of the access door, a slot 11 in the housing to receive a locking head 42 of a lock which is movable between first and second orientations, a removable component 30 in figure 11 . . . . Office Action, at page 3.

It is respectfully pointed out that the element 20 referred to by the Examiner as the “access door” is not described or shown in Lee as any type of door. Rather, the element 20 is a “pushing device” having an activating section 200 that is described as a

“push button”. This push button is not an access door and does not provide access to the interior of dock housing 100.

Claim 1, as amended, recites:

1. An apparatus comprising:
  - a housing having an **access door permitting access to an interior of the housing**, the access door movable between a closed position and an open position;
  - a slot extending through the housing, the slot sized and located to receive a lock head of a locking device when the lock head exhibits a first orientation and to retain the lock head when the lock head exhibits a second orientation; and
  - a latch assembly disposed in the housing to maintain the access door in the closed position when the lock head exhibits the second orientation.

Claim 1 was amended (as were each of claims 4 and 11) to clarify that the claimed access door is a door “permitting access to an interior of the housing.” Lee fails to disclose at least the claimed “access door permitting access to an interior of the housing.” As noted above, the pushing device 20 disclosed in Lee is not an access door, but rather is an push button for activating the disclosed dock safety lock 22.

As Lee fails to disclose at least the above noted limitations, each of claims 1 and 4 (as well as claim 11) is novel in view of this reference. Also, claim 2 is allowable as depending from novel independent claim 1, and claims 5-6 and 8-10 are allowable as depending from novel independent claim 4.

### **Obviousness Rejections Under 35 U.S.C. § 103**

To reject a claim or claims under 35 U.S.C. § 103, the Examiner bears the initial burden of establishing a prima facie case of obviousness. M.P.E.P. § 2142. When establishing a prima facie case of obviousness, the Examiner must set forth evidence showing that the following three criteria are satisfied:

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references (or references when combined) must teach or suggest all the claim limitations. M.P.E.P. § 2143.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the applicant's disclosure. M.P.E.P. § 2142 (citing *In re Vaeck*, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991)). Also, the evidentiary showing of a motivation or suggestion to combine prior art references "must be clear and particular." *In re Dembiczak*, 175 F.3d 994, 999, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999).

Obviousness Rejection Based on United States Patent 5,687,592 to Penniman et al. in View of United States Patent 5,526,227 to Satou et al. or in View of United States Patent 6,144,360 to Evanicky et al.

Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Penniman in view of United States Patent 5,526,227 to Satou et al. (hereinafter "Satou")

or in view of United States Patent 6,144,360 to Evanicky et al. (hereinafter “Evanicky”). Applicant respectfully traverses this rejection as set forth below.

Claim 3 depends from claim 1. As noted above, Penniman fails to disclose at least the above-noted limitations of claim 1, and Satou and Evanicky also fail to disclose such limitations. Thus, as Penniman, Satou, and Evanicky, either individually or in combination, fail to disclose at least the above-noted limitations of independent claim 1, claim 1 is nonobvious in view of these references. If an independent claim is nonobvious, then any claim depending from the independent claim is also nonobvious. M.P.E.P. §2143.03 (citing *In re Fine*, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988)). Therefore, claim 3 is allowable as depending from nonobvious, independent claim 1.

Obviousness Rejection Based on United States Patent 6,275,378 to Lee et al. in View of United States Patent 4,627,589 to Hotsumi

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of United States Patent 4,627,589 to Hotsumi (hereinafter “Hotsumi”). Applicant respectfully traverses this rejection as set forth below.

Claim 7 depends from independent claim 4. As noted above, Lee fails to disclose at least the above-noted limitations of claim 4, and Hotsumi also fails to disclose such limitations. Thus, as Lee and Hotsumi, either individually or in combination, fail to disclose at least the above-noted limitations of independent claim 4, claim 4 is nonobvious in view of these references. If an independent claim is nonobvious, then any claim depending from the independent claim is also nonobvious. M.P.E.P. §2143.03

(citing *In re Fine*, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988)). Therefore, claim 7 is allowable as depending from nonobvious, independent claim 4.

Obviousness Rejection Based on United States Patent 6,275,378 to Lee et al. in View of United States Patent 6,088,229 to Seto et al. or in View of United States Patent 6,144,360 to Evanicky et al.

Claims 3, 11, 12, and 14-16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of United States Patent 6,088,229 to Seto et al. (hereinafter “Seto”) or in view of Evanicky. Applicant respectfully traverses this rejection as set forth below.

Claim 3

Claim 3 depends from independent claim 1. As noted above, Lee fails to disclose at least the above-noted limitations of claim 1, and Seto and Evanicky also fail to disclose such limitations. Thus, as Lee, Seto, and Evanicky, either individually or in combination, fail to disclose at least the above-noted limitations of independent claim 1, claim 1 is nonobvious in view of these references. If an independent claim is nonobvious, then any claim depending from the independent claim is also nonobvious. M.P.E.P. §2143.03 (citing *In re Fine*, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988)). Therefore, claim 3 is allowable as depending from nonobvious, independent claim 1.



Claims 11, 12, and 14-16

As set forth previously, Lee fails to disclose at least the above-noted limitations of independent claim 11, and Seto and Evanicky also fail to disclose such limitation. Therefore, as Lee, Seto, and Evanicky, either individually or in combination, fail to disclose at least the above-noted limitations of independent claim 11, claim 11 is nonobvious in view of these references. If an independent claim is nonobvious, then any claim depending from the independent claim is also nonobvious. M.P.E.P. §2143.03 (citing *In re Fine*, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988)). Therefore, claims 12, 14, 15, and 16 are allowable as depending from nonobvious, independent claim 11.

Obviousness Rejection Based on United States Patent 6,275,378 to Lee et al. in View of United States Patent 4,627,589 to Hotsumi

Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Hotsumi. Applicant respectfully traverses this rejection as set forth below.

Claim 13 depends from independent claim 11. As noted above, Lee fails to disclose at least the above-noted limitations of claim 11, and Hotsumi also fails to disclose such limitations. Thus, as Lee and Hotsumi, either individually or in combination, fail to disclose at least the above-noted limitations of independent claim 11, claim 11 is nonobvious in view of these references. If an independent claim is nonobvious, then any claim depending from the independent claim is also nonobvious. M.P.E.P. §2143.03 (citing *In re Fine*, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988)). Therefore, claim 13 is allowable as depending from nonobvious, independent claim 11.

CONCLUSION

Applicant submits that claims 1-16 are in condition for allowance and respectfully requests allowance of such claims.

Please charge any shortages and credit any overages to our Deposit Account No. 02-2666.

Respectfully submitted,

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